

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL ACTION
	)	NO. 1:12-CR-322 (AT)
	)	
SANTAS HERNANDEZ	)	
_____	)	

JOINT MOTION TO CONTINUE TRIAL

COMES NOW Defendant, SANTAS HERNANDEZ, by and through undersigned counsel, and files this joint motion to continue the trial presently set for August 11, 2014. For cause, Defendant shows the following:

1) Defendant, SANTAS HERNANDEZ, is charged in a two count indictment with prostitution related offenses. She has entered a not guilty plea. Trial is set for August 11, 2014.

2) The government's theory is that Ms. Hernandez took her niece, N.V., to a club in Montgomery, Alabama for the purpose of engaging in prostitution with men. Ms. Hernandez contends that she was not engaging in prostitution, but instead was going to the club to dance with men for five dollars a dance. Such clubs are common in immigrant communities, but most people outside of these communities know little about these "bailarina bars." Ms. Hernandez intends to present testimony of an expert witness relating to these five dollar dance clubs and their cultural significance in the Latino community.

3) The expert witness is going to be in Spain for the entire

month of August. Both the government and the defense want the expert to testify live and not via video. Because of the expert's personal circumstances and the expense of flying the expert to Atlanta from Spain, bringing her to Atlanta in August is not a viable option. As a result, Defendant must seek a continuance.

4) Because Ms. Hernandez has expressed her displeasure with past continuances of her trial, undersigned counsel met personally with Ms. Hernandez to discuss the situation with the expert and the various options for trial. After an extensive discussion of all of the options, Ms. Hernandez has specifically authorized counsel to file this motion and joins in the request to continue the trial.

5) Counsel for the government, Assistant United States Attorney Richard Moultrie, also joins in the request for the continuance of the trial.

6) The period from the filing of this motion through the trial is properly excluded from the speedy trial clock because the ends of justice served by the granting this extension of time outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h) (8) (A).

WHEREFORE, the defendant respectfully requests that the Court continue the trial.

DATED: This 17th day of July, 2014.

Respectfully submitted,

s/BRIAN MENDELSON, Esq.  
STATE BAR NO. 502031

s/VICTORIA CALVERT, Esq.  
STATE BAR NO. 636029  
ATTORNEYS FOR SANTAS HERNANDEZ

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CERTIFICATE OF SERVICE AND COMPLIANCE WITH LR 5.1B

I hereby certify that on July 17, 2014, I electronically filed this pleading with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney of record:

Richard Moultrie, Esq.  
Assistant United States Attorney  
600 Richard B. Russell Building  
75 Spring Street, S. W.  
Atlanta, Georgia 30335

Dated: This 17th day of July, 2014

s/BRIAN MENDELSON, Esq.  
ATTORNEY FOR SANTAS HERNANDEZ  
STATE BAR NO. 502031